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REMARKS

Claims 1-52 were previously cancelled. Claims 53-72 were introduced in the response filed January 11, 2006, and have not been amended prior to the current response.

Claims 53-57 and 61-71 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Published Patent Application 2002/0049806 (hereinafter "Gatz").

Claims 58-60 and 72 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Gatz.

Applicant respectfully traverses these rejections for the following reasons. The Gatz application was filed on May 15, 2001, which was subsequent to the filing date of Applicant's application on January 31, 2001, and therefore, by itself Gatz does not qualify as prior art. But Gatz claims priority to the filing date of his related U.S. provisional application 60/204,910, which was filed May 16, 2000, prior to Applicant's filing date. In 35 U.S.C 119(e)(1), the applicable law states that the non-provisional application may claim the priority date of "... an invention disclosed in a provisional application . . .". Applicant asserts that the provisional Gatz application does not disclose Applicant's invention. A substantial amount of new subject matter was added to the provisional Gatz application to create the non-provisional Gatz application, and that new subject matter may only receive a priority date of May 15, 2001, which is too late to qualify as prior art against Applicant's invention. The rejections of Applicant's claims based on the Gatz reference have improperly used that new subject matter as the basis for rejection, as the following analysis shows.

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Applicant's independent claims 53, 63 and 69 each recite:

A. a wireless communication device – The Gatz provisional discusses the Internet extensively, but never mentions wireless communications. Although the Gatz non-provisional discusses wireless devices (in paragraph 0039, as pointed out by the Examiner), this was new subject matter that was not in the provisional and may only be given a priority date of May 15, 2001 for prior art purposes. It therefore does not qualify as prior art for Applicant's invention.

B. the restricted list of contacts is stored in a base station – 'Base station' is a well-known industry term for a centralized communications hub in a wireless network. A base station acts as a communications hub for wireless devices within its wireless communications range, but generally does not serve as a content provider like a server does. Since the Gatz provisional never discusses wireless communications, it obviously does not discuss base stations either. Claim 69 is slightly broader in this respect than claims 53 or 63, reciting that the restricted list of contacts may alternately be stored in the wireless communications device itself (i.e., the device having restricted access), but the Gatz provisional never discloses or suggests storing a restricted contact list in the device whose access is being restricted.

The remaining pending claims each depend directly or indirectly from one of claims 53, 63, or 69, and therefore contain the same limitations not disclosed or suggested by the Gatz provisional application.

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Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 50-0221.

Respectfully submitted,

Intel Corporation

Date: March 15, 2007

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